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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/814,679	03/31/2004	Roy L. Hood	713629.417	8311
27128 7590 08/11/2010 HUSCH BLACKWELL SANDERS LLP 190 Carondelet Plaza Suite 600 ST. LOUIS, MO 63105			EXAMINER COLE, ELIZABETH M	
			ART UNIT 1782	PAPER NUMBER
			NOTIFICATION DATE 08/11/2010	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte* ROY L. HOOD and GARY L. NOEDEL

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Appeal 2009-014331  
Application 10/814,679  
Technology Center 1700

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Mailed: August 11, 2010

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Before MERRELL C. CASHION, JR., Case Management Administrator

ORDER WITHDRAWING REMAND

On January 25, 2010, this application was remanded in an order to the Examiner to address issues related to the Appeal Brief entered December 12, 2008. As of March 30, 2010, “[t]he United States Patent and Trademark Office (USPTO) [has streamlined] the procedure for the review of appeal briefs to increase the efficiency of the appeal process and reduce pendency of appeals.” 75 Fed. Reg. 15689, 15689 (March 30, 2010). As of the same date, “[t]he Chief Judge of the Board of Patent Appeals and Interferences (BPAI) or his designee (collectively,

“Chief Judge”), [has] the sole responsibility for determining whether appeal briefs filed in patent applications comply with the applicable regulations...” *Id.*

Under this authority, the Appeal Brief filed December 12, 2008, has been reviewed under the newly established streamlined procedure and found to be acceptable for assignment to a merits panel. The outstanding issue is referred to the panel for consideration.

Accordingly, the remand of January 25, 2010 is hereby withdrawn and the appeal is forwarded to a panel for decision.

M. Cashion  
Case Management Administrator  
Board of Patent Appeals and Interferences  
571-272-9797

MC/saw

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